

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

James Millett,	:
Plaintiff,	:
	:
v.	: File No. 2:04 CV 315
	:
Correctional Medical Services,	:
Vermont Department of Corrections,	:
Prison Health Services, Inc.,	:
	:
Defendants.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed June 21, 2006. Plaintiff's objection was filed July 5, 2006.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

After careful review of the file, the Magistrate Judge's Report and Recommendation and the objections, this Court ADOPTS the Magistrate Judge's recommendations in full.

The defendant CMS's unopposed motion for summary judgment (Paper 18) is **GRANTED**.

Dated at Burlington, in the District of Vermont, this
19th day of July, 2006.

/s/ William K. Sessions III
William K. Sessions III
Chief Judge
U.S. District Court